

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 1134
DATE FILED: 11/3/11

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ONEWEST BANK, FSB, : 10 Civ. 4855 (SHS)

Plaintiff, :

-against- : ORDER

HSBC BANK USA NATIONAL ASSOCIATION, :

as Trustee of the Deutsche Alt-A Securities

Mortgage Loan Trust, Series 2006-AR5, :

Defendant. :

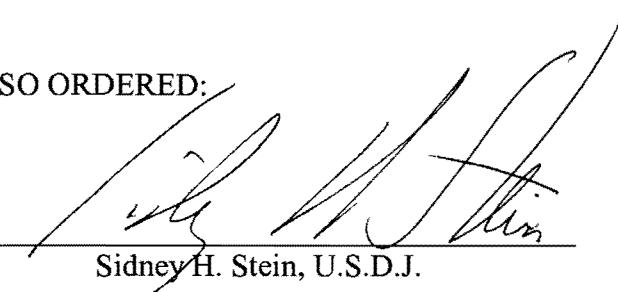
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SIDNEY H. STEIN, U.S.D.J.

Oral argument having been held today on plaintiff's motion for summary judgment, with counsel for all parties present,

IT IS HEREBY ORDERED that for the reasons set forth the record, plaintiff's motion for summary judgment in its favor [document no. 20] is granted. The Court has determined that the statutory safe harbor of 15 U.S.C. § 1639A(b) applies to any HAMP modification OneWest, as the loan servicer, makes with respect to HAMP eligible loans held by the relevant Trusts.

Dated: New York, New York
November 3, 2011

SO ORDERED:



Sidney H. Stein, U.S.D.J.